

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Hanson S. Gifford III Confirmation No.: 2779  
Serial No.: 10/790,540 Art Unit: 3733  
Filed : March 1, 2004 Examiner: David C. Comstock  
For : A DEVICE FOR ENGAGING TISSUE HAVING A PREEXISTING OPENING

I hereby certify that this correspondence is being transmitted via  
The United States Patent Office electronic filing system in accordance with 37 CFR 1.6(a)(4) on  
March 14, 2008.

/Brian S. Tomko/

**Brian S. Tomko, Reg. No. 41,349**

(Signature)

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicant(s) hereby appeal to the Board of Patent Appeals and Interferences from Office Action dated October 17, 2007 finally rejecting Claims 21-47 of the above-identified application.

The item(s) checked below are appropriate:

1. ☐ An extension of time to respond to the final rejection was granted on \_\_\_\_\_ for month(s).
2. ☒ A Petition For Extension Of Time under 37 CFR 1.136 is attached hereto.
3. ☐ A timely response to the final rejection has been filed.
4. ☒ Fee \$510.00: for filing of Notice of Appeal  
☐ Not required (fee paid in prior appeal)  
☒ Charge to Deposit Account No. 10-0750/HRT0256C2/BST.  
☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment in connection herewith to Deposit Account No. 10-0750/HRT0256C2/BST.

Respectfully submitted,

/Brian S. Tomko/

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Date: March 14, 2008